

**NEW MEXICO ARMY AND AIR NATIONAL GUARD  
OFFICE OF MILITARY AFFAIRS  
SANTA FE, NEW MEXICO 87502-4277**

AGONM Technician Personnel  
Regulation Number 630  
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1 August 1995

**TECHNICIAN PERSONNEL (ARMY AND AIR)  
ABSENCE AND LEAVE**

1. AGONM TPR 630 is changed as follows:

Page iv - Delete references to APPENDIX C and APPENDIX D.

Page 17 - Chapter 8, paragraph 8-2. Paragraph should read as follows:

Appendix C - Remove

Appendix D - Remove

8-2 AUTHORIZATION OF COMPENSATORY TIME. Overtime work must be ordered and approved, in writing, in advance. The approving official must be at least one level higher than the first line supervisor (exceptions would be those individuals reporting directly to the Air Commander or the Adjutant General. The Air National Guard will use AF Form 428; the Army National Guard will use NGB Form 46-14. The completed form must be submitted to the Technician Pay Branch along with the Time and Attendance Cards. These forms will also be used if Holiday Work is required.

  
RUDY F. GONZALES, GM-13  
Personnel Officer

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**NEW MEXICO ARMY AND AIR NATIONAL GUARD  
OFFICE OF MILITARY AFFAIRS  
OFFICE OF THE ADJUTANT GENERAL  
SANTA FE, NEW MEXICO 87505**

**AGONM Technician Personnel  
Regulation 630**

**15 December 1995**

**TECHNICIAN PERSONNEL (ARMY & AIR)  
ABSENCE AND LEAVE**

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## ABSENCE AND LEAVE

### CHAPTER 1

#### GENERAL

1-1 **PURPOSE:** The purpose of this regulation is to set policies to describe and explain the various kinds of leave available to New Mexico National Guard Technicians.

1-2 **RESPONSIBILITY:** The Human Resource Officer is responsible for administering the leave program.

#### 1-3 DEFINITIONS:

a. **Accrued Leave:** Leave earned by an employee during the current year that is unused at any given time in that leave year.

b. **Accumulated Leave:** Unused leave remaining to the credit of a technician at the beginning of a leave year.

c. **Leave Year:** The period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

d. **Leave Day:** Day upon which a technician would otherwise work and receive pay, exclusive of holidays and all non-work days.

e. **Contagious Disease:** A disease requiring isolation of the patient, quarantine, or restriction of movement as prescribed by health authorities or a physician.

f. **Medical Certificate:** Written statement signed by a registered practicing physician, or other practitioner, certifying to the incapacitation, examination, treatment, or a period of disability of a technician while she or he was undergoing professional treatment.

#### 1-4 TYPES OF LEAVE:

- a. Annual leave
- b. Sick leave
- c. Leave without pay
- d. Military leave
- e. Court leave
- f. Compensatory leave
- g. Excused absences and administrative dismissal
- h. Leave for maternity reasons

1-5 CHARGING OF LEAVE: The minimum charge for annual, sick, and compensatory leave is fifteen minutes, with additional leave charged in multiples of fifteen minutes. Charges against annual, sick, and compensatory leave will be made only on those days defined as work days.

1-6 ABSENCE WITHOUT LEAVE (AWOL): An absence from duty which was not authorized or approved or for which a leave request has been denied is charged on the leave record as "absent without leave." Pay is withheld for the entire period of such absence. Disciplinary action may be taken in accordance with TPR 752. If it is later determined that the absence without prior authorization was excusable or that the employee was ill, the charge to absence without leave may be changed to annual, sick, or leave without pay.

## CHAPTER 2

## ANNUAL LEAVE

2-1 GENERAL: Leave of any type must be administered in a uniform and equitable basis within the scope of this regulation. In granting leave, consideration must be given to the needs of the National Guard and the welfare of the technician.

2-2 PURPOSE: The purpose of annual leave is to permit or allow the technician to:

- a. Take yearly vacations or other short periods for recreation.
- b. Take care of personal business or emergencies that occur or can only be attended to during normal working hours.
- c. Attend approved service schools or periods of active duty for training.

d. Annual leave is also authorized when ordered to active duty to provide support services not involving law enforcement duties. For example:

- (1) Participation in rescue or protective work in connection with fires, floods, or other natural phenomena.
- (2) Dropping feed to cattle during a blizzard.
- (3) Providing support services during a strike.
- (4) Assisting state officials during refugee processing.

2-3 GRANTING ANNUAL LEAVE: The approval of leave is the responsibility of immediate supervisors who can best judge whether the time off requested is compatible with the situation. Technicians request annual leave, as well as other kinds of leave, on Standard Form 71.

2-4 VACATION SCHEDULE: Technicians should take annual vacations. For purposes of planning, supervisors should ask their staff to turn in their yearly vacation schedules by 31 March of each year. Approval will be based on the wishes of the individual technician and the needs of the work unit. In scheduling this time off, the supervisor and technician must take into consideration the following:

- a. annual audits
- b. inspections
- c. annual training (AT)
- d. other management activities



2-5 **QUALIFYING PERIODS:** A technician is entitled to accrue and take annual leave if the appointment is for 90 days or longer, or if the appointment is extended so that it totals 90 days or more. The technician is not entitled to annual leave until employed for a continuous period of 90 days without a break in service.

2-6 **ANNUAL LEAVE EARNING RATES:**

a. Earning rates for Full-Time technicians (those with a basic workweek of 40 hours):

(1) Technicians with less than three years of service earn four hours of annual leave for each biweekly pay period.

(2) Technicians with three but less than 15 years of service earn six hours of annual leave for each biweekly pay period except for the last full pay period of the calendar year, when they earn 10 hours of annual leave.

(3) Technicians with 15 or more years of service earn eight hours of annual leave for each full biweekly period.

b. Earning rates for part-time technicians:

(1) Part-time technicians must have a regularly assigned tour of duty on at least one day of each week in a pay period in order to earn leave. They earn leave, up to the annual maximum, in proportion to their number of hours in a pay status. If their hours of service in a pay status do not equal the number necessary for a minimum leave credit of one hour, the time may be carried over from one pay period to the next until there is enough work time to earn leave.

(2) Upon change to Full-Time work, any fractional hours of service are lost for leave credit.

c. Change in annual leave earning rate: A change in annual leave earning rate is effective at the beginning of the first biweekly pay period following completion of the prescribed period of service.

2-7 **ACCUMULATION AND RESTRICTION OF ANNUAL LEAVE:** The maximum amount of annual leave that may be carried forward from one leave year to the next is 30 days (240 hours). Technicians ordered to extended active duty (Title 10) will be placed on annual leave, after they have used military leave and compensatory time, for the number of hours that are in excess of the 240 hours. Leave in excess of 240 hours will be forfeited at the end of the leave year.

2-8 **RESTORATION OF SCHEDULED ANNUAL LEAVE:** Annual leave that is forfeited by the technician at the end of the leave year (not being authorized to carry over 240 hours) may be restored and carried for two years due to sickness, administrative error, or exigency of the public business (operational demands) provided that the leave was approved in writing and was scheduled at least three pay periods prior to the end of the leave year.

a. While the cut-off date is applicable only to those situations involving possible forfeiture and restoration of annual leave, supervisors and employees should not delay until this date approaches to schedule leave. Positive action should be taken to assure that annual leave is scheduled for use during the year so as to avoid situations where employees approach the end of the leave year with a significant amount of annual leave that must be used or forfeited. For example, if an exigency should occur during the year that results in the cancellation of scheduled leave, action must be taken to reschedule the leave for use before the end of the leave year to avoid forfeiture.

b. Approval for the restoration of annual leave because of forfeiture due to exigencies of the public demands rests only with the Adjutant General for the State of New Mexico. Requests for restoration of leave will be forwarded to the Adjutant General through the Human Resources Officer accompanied with the following documentation, and will be retained for two years or until the leave is used.

- (1) Written verification of scheduling and rescheduling of the annual leave.
- (2) Date on which the leave was scheduled and approved.
- (3) Dates for which the leave was scheduled for use.
- (4) Reason for canceling the approved leave.
- (5) Beginning and ending date of the exigency or operational demand that resulted in the forfeiture. The date fixed as the termination of the exigency determines the two-year period within which the restored leave must be used.
- (6) The date the canceled leave was rescheduled.
- (7) The dates for which the canceled leave was rescheduled for use.
- (8) The exact number of hours for which restoration is requested.

c. Technicians with leave in excess of 240 hours who are ordered to extended active duty near the end of the leave year should be advised to use the excess leave first to avoid forfeiture.

## 2-9 ADVANCING ANNUAL LEAVE:

a. Annual leave will be automatically advanced to the technician upon request, up to the amount expected to be earned during the current leave year.

b. If the technician takes all her or his advanced leave and is separated before the end of the year or before advanced leave is repaid, the value of leave will be withheld from any compensation due, unless he is separated for death, retirement due to disability, or inability to return to work because of illness.

## CHAPTER 3

### SICK LEAVE

#### 3-1 AUTHORIZED USE OF SICK LEAVE:

a. A technician will be granted sick leave when she or he:

- (1) receives medical, dental, or optical examination or treatment, or receives psychological counseling.
- (2) is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth.
- (3) provides care for a family member as a result of physical or mental illness, injury, pregnancy, childbirth, or medical, dental, or optical examination or treatment.
- (4) makes arrangements necessitated by the death of a family member, attends the funeral of a family member, or to grieve bereavement.
- (5) would, as determined by the health authorities having jurisdiction or by a health care provider, jeopardize the health of others by her or his presence on the job because of exposure to a communicable disease.
- (6) must be absent from duty for purposes relating to the adoption of a child, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed. A technician may apply to the Human Resources Office to substitute sick leave for annual leave used for purposes relating to the adoption of a child between 30 September 1991 and 30 September 1994.

b. A technician is entitled to 7 days of paid leave each calendar year in addition to annual and sick leave to serve as a bone marrow or organ donor. This leave does not accumulate from year to year. If this medical procedure and recuperation require an absence longer than 7 days, a technician may request additional time off by using other leave categories such as sick leave, LWOP, or annual leave. Excused absence may be granted by the Human Resources Officer for this purpose.

c. The amount of sick leave granted to an employee during any leave year for the purposes described in paragraphs a(3) and (4) of this chapter may not exceed a total of 104 hours. To be granted sick leave for care of a family member rather than for personal use in an amount exceeding 40 hours in a calendar year, the technician must retain a sick leave balance of at least 80 hours.

d. As it applies to this chapter, "family member" means:

- (1) spouse and parents thereof.
- (2) children and spouses thereof.
- (3) parents.
- (4) brothers and sisters and spouses thereof.
- (5) any individual related by blood or affinity whose close association with the technician is the equivalent of a family relationship.

**3-2 SICK LEAVE CONTROL:** Sick leave will be authorized by the immediate supervisor only in bona fide cases.

a. For personal use of sick leave:

(1) the supervisor may grant sick leave orally or may require acceptable evidence. It is the responsibility of the local supervisor to ascertain whether absences are properly chargeable to sick leave.

(2) Medical certificates may be required for absences in excess of three work days.

(3) Whenever there is reason to believe that the sick leave privilege is being abused, the technician will be advised in writing that a medical certificate will be required to support any future grant of sick leave regardless of duration. Abuse of sick leave should be suspected if any of these conditions apply: chronically low leave balance; frequent absences on Mondays or Fridays; absences at deadlines, inspections, or peak work loads.

b. For use of sick leave for a family member:

(1) sick leave will be requested and granted in advance for routine cases, and can be requested and granted orally in case of emergency.

(2) certification is always required. This certification may be self-certification or medical certification. The supervisor may approve the use of sick leave for a family member when supported by this certification.

(3) the supervisor must send copies of the approved leave request and certification to the Human Resources Office.

**3-3 REQUESTING SICK LEAVE.** Leave for prearranged medical, dental, or optical examination or treatment will be applied for in advance.

a. For personal use of sick leave, technicians must call their immediate supervisors within one hour of the start of the workday and make their request for sick leave.

b. For use of sick leave for a family member, the technician must file a written request for sick leave with the immediate supervisor 5 workdays in advance, except in case of emergency. In case of emergency, the use of sick leave for family members may be requested and granted orally and must be supported by appropriate documentation within 3 workdays.

**3-4 SICK LEAVE EARNING RATES.** Sick leave is earned from the start of the first full pay period of employment, and its earning is not affected by the type of appointment or length of service. There is no qualifying period for the earning and use of sick leave.

a. Full-time technicians earn four hours for each full biweekly pay period.

b. Part-time technicians (those technicians working less than 40 hours per week) earn one hour of sick leave for each 20 hours in a pay status.

**3-5 ACCUMULATION OF SICK LEAVE.** Sick leave that accrues to a technician's credit not used during the year may accumulate from year to year without restrictions as to the maximum amount.

**3-6 ADVANCING SICK LEAVE.** Sick leave may be advanced to a technician not to exceed 30 days at any one time subject to the following conditions:

- (1) Request for advancement of sick leave will be supported by a medical certificate.
- (2) All available accumulated sick leave will be exhausted before advancement
- (3) Annual leave that would otherwise be forfeited is used.
- (4) There is a reasonable assurance that the technician will return to duty to earn and repay advanced credits.

**3-7 SUBSTITUTIONS OF SICK LEAVE FOR ANNUAL LEAVE.** Sick leave may be substituted for annual leave when sickness or other action chargeable to sick leave occurs to a technician during a period of annual leave, except when on active duty.

**3-8 REPAYMENT OF ADVANCED SICK LEAVE CREDITS.** When a technician is separated prior to repayment of advanced sick leave credits, the unliquidated balance will be charged against accumulated or accrued annual leave and against earned salary. If separation is the result of death or disability retirement, or if the technician is unable to return to work because of a disability that is supported by an acceptable medicate certificate, advanced sick leave credits are automatically liquidated with no payment required.

**3-9 SICK LEAVE BALANCE UPON RETIREMENT.** The creditable service of a National Guard technician who retires on immediate annuity under the Civil Service Retirement System is increased by the days of unused sick leave in her or his balance. This does not apply to technicians who retire under the Federal Employees Retirement System.

**3-10 RESTORATION OF SICK LEAVE CREDIT UPON RETURN TO FEDERAL SERVICE.** Upon a return to Federal service after a break in service of any length of time, a technician will be recredited with the sick leave balance held at the time of termination.

## CHAPTER 4

## LEAVE WITHOUT PAY

4-1 **GENERAL.** Leave without pay is a temporary non-pay status and absence from duty, granted upon the technician's request. It cannot be imposed as a penalty, nor can a technician be required to apply for LWOP in lieu of suspension.

4-2 **GRANTING LEAVE WITHOUT PAY.**

a. The authorization of LWOP is a matter of administrative discretion. Technicians cannot demand that they be granted leave without pay as a matter of right; the only exception is when a technician desires LWOP for the purposes of military training duty.

b. Each request for LWOP will be examined closely to assure that the value to the National Guard or the serious needs of the technician are sufficient to offset costs and administrative inconveniences.

c. Requests for LWOP for a duration of more than 30 days must be submitted to HRO for approval. Requests must assure in writing that the technician will return to duty and that at least one of the following benefits will result:

- (1) increased job ability
- (2) protection or improvement to the employee's health
- (3) retention of a desirable technician
- (4) furtherance of a program of interest to the National Guard

d. The following are a few examples for which LWOP may be approved:

(1) educational purposes, either civilian or military courses, which, when completed, will increase job proficiency and ability.

(2) illness or disability not of a permanent or disqualifying nature.

(3) to protect the technician during any period pending final action by the Office of Personnel Management on a technician's claim for disability retirement after all sick and annual leave has been exhausted.

(4) for the purpose of service, on a temporary basis, as an officer or representative of a labor union representing a technician.

(5) when ordered to active duty to provide support services not involving law enforcement duties. For example:

(a) participation in rescue or protective work in connection with fires, floods, or other natural phenomena

(b) dropping feed to cattle during a blizzard

(c) providing support services during a strike

(d) assisting state officials during refugee processing

**4-3 CHARGING LWOP.** Charges to LWOP will be in multiples of a quarter of an hour.

a. The day or days declared as a holiday immediately preceding the first day or following the last day of a period of leave without pay are to be considered as days to which the technician is entitled to pay, if she or he would otherwise have been available and performed duty.

b. A technician is not entitled to pay for any day that has been declared a holiday within a period of leave without pay.

**4-4 CONVERSION OF LWOP.** If a technician applies for and is granted leave without pay, the period of leave may not at any time thereafter be retroactively converted to annual or sick leave except when a technician was granted LWOP to be eligible for a cost-of-living increase (in certain pending disability cases) or to meet the eligibility requirement for compensation under the provisions of the Federal Employees' Compensation Act (FECA). If the claim is subsequently disallowed, sick or annual leave may be retroactively substituted for the period of LWOP.

## CHAPTER 5

### MILITARY LEAVE

5-1 **GENERAL.** Military leave is leave authorized to permit a technician to be absent from performing his technician duties without loss of pay while performing active duty or active duty for training.

5-2 **ACCRUAL.** Accrual of military leave is limited to a maximum of 15 calendar days during each fiscal year. Public Law 96-431 permits a carryover of unused military leave for up to a maximum of 15 additional days.

#### 5-3 GRANTING MILITARY LEAVE.

a. Technicians may use as much military leave during a single period of active duty as they may legally accrue subject to a limit of 30 days per fiscal year. (Comptroller General Decision B-241272, 15 Feb. 91.)

b. Technicians may be credited with 15 days' military leave for a new fiscal year even if the technician is serving on active duty at that time. (Comptroller General Decision B-241272, 15 Feb. 91.)

c. The requirement that technicians first use available military leave when ordered to active duty or active duty for training has been eliminated. Technicians have the option of using available annual leave, compensatory leave, or leave without pay, for the performance of such duty. However, to commingle leave for the sole purpose of avoiding the charging of military leave for intervening weekends is prohibited. (Comptroller General Decision B-141593, 7 Jan 1960.)

d. Military leave is chargeable on a calendar day basis. No charge is made for non-workdays at the beginning and end of a period of absence on active military duty. However, all intervening non-workdays falling within the period of absence on active military duty must be charged to military leave, provided the technician is under military orders on the non-workdays.



## CHAPTER 6

### COURT LEAVE

**6-1 GENERAL.** Court leave is an authorized absence without charge to leave or loss of pay when a technician is excused from work status for jury duty; for attending judicial proceedings in a non-official capacity as a witness on behalf of a state or local government; or to appear as a witness in a non-official capacity on behalf of a private party in connection with any judicial proceedings to which the United States, the District of Columbia, or a state or local government is a party.

**6-2 ELIGIBILITY.** Court leave is granted to both permanent and temporary technicians in the following instances:

a. when a technician is summoned to appear as a witness in a judicial proceeding on behalf of the state or local government.

b. when a technician is required to perform jury duty in a federal, state, or municipal court.

c. when a technician is summoned to appear as a witness in behalf of a private party in judicial proceedings of which the United States, the District of Columbia or a state or local government is a party.

**6-3 USE OF ANNUAL LEAVE.** If a technician is on annual leave when called for jury service, court leave should be substituted.

**6-4 DURATION OF JURY SERVICE.** A technician who is under proper summons should be granted court leave during her or his absence and paid for the entire period, regardless of the number of hours per day or days per week she or he actually serves on the jury during the period.

**6-5 INTERIM EXCUSE FROM JURY DUTY.** Where no hardship would result, the supervisor, at her or his discretion, may require a technician on jury duty to return to technician duty or be charged annual leave if she or he is excused from jury service for one day or even a substantial part of a day.

**6-6 COURT FEES.** Those fees received for duty as a witness or juror will be handled in the following manner:

- a. If a technician is absent from her or his regularly scheduled duties to serve as a juror in a state or municipal court, she or he will collect all fees and allowances payable as a result of the jury service and must render the fee to the appropriate representative of the Financial Manager for proper disposition. However, the technician is permitted to keep all fees or allowances in excess of the amount of compensation due to her or him for the period of absence on jury duty.
- b. A technician eligible for court leave may not accept jury fees for service in a federal or District of Columbia court where the service is performed during the regularly scheduled administrative workweek.
- c. Technicians who perform jury service on non-workdays are entitled to retain the fees received for such service. The technician may accept and keep any allowances for mileage and subsistence authorized by law to cover his actual expenses incident to the jury service.
- d. A technician who performs jury service that does not conflict with his hours of employment may retain the usual fees for jury service. If, however, he performs jury service in a court of the United States during any of the hours in which he is in a pay status, he may not be paid jury fees for that day.
- e. Fees received for jury duty either in a federal or state court on a holiday falling within the technician's basic tour of duty may be retained by the employee, provided that, had he not been on jury duty, he would have been excused from his regular duties on the holiday.
- f. A technician who is in a leave without pay status when called for jury service, either in a federal or state court, may retain jury fees and per diem allowed for each day's attendance in court and for the time necessarily occupied in going to and from the court.
- g. When a technician appears in a court as a witness for a private party, in the United States, District of Columbia, state, or local government is not a party, her or his absence from duty must be charged either as annual leave or leave without pay.
- h. Technicians shall not be paid witness fees when testifying on behalf of the United States government; however, they shall be paid their regular salary, and the time served as a witness cannot be deducted from annual leave. A technician who is called as a witness for the United States or the District of Columbia may accept and retain witness fees if she or he is on a LWOP status during the entire period.

## CHAPTER 7

## LAW ENFORCEMENT LEAVE

7-1 GENERAL. This additional leave is authorized without loss or reduction of leave to which otherwise entitled for the purpose of providing aid to enforce the law (5 USC 6323c). The FY 91 DOD Authorization Bill, Section 8086, expanded the scope of Law Enforcement Leave to include assistance to civil authorities in the protection of life, property, or preventing injuries. For example:

- a. participation in rescue or protective work in connection with fires, floods, or other natural phenomena.
- b. dropping feed to cattle during a blizzard.
- c. providing support services during a strike.
- d. assisting state officials during refugee processing.

7-2 COVERAGE. This chapter covers National Guard technicians who, for the purpose of providing military aid to enforce the law or assisting civil authorities, perform:

- a. federal service under section 331, 332, 333, 2500, or 8500 of Title 10 or other provisions of law, as applicable; or,
- b. Full-Time military service for the state, Puerto Rico, the Virgin Islands, or the District of Columbia.

7-3 ENTITLEMENT. Each National Guard technician serving under a permanent or indefinite status appointment and who is a member of the National Guard is entitled to law enforcement leave for not more than 22 workdays in a calendar year for providing aid to enforce the law or assisting civil authorities. The FY 91 DOD Authorization Bill, Section 8086, states that technicians may elect to use annual, compensatory leave, or leave without pay, prior to using law enforcement leave. Excused absence may not be granted for performing this duty.

7-4 PAY RECEIVED. Pay compensation for service performed under this chapter may not be less than the pay due to a technician as her or his normal technician pay for the same period. Military pay and allowances received (other than travel, transportation, or per diem allowance) shall be credited against the technician's pay and, if less than the technician's pay, the difference shall be paid to the technician. If military pay exceeds technician's pay, no technician pay will be made to the technician nor will a refund of the excess be required.

## CHAPTER 8

## COMPENSATORY LEAVE

8-1 GENERAL. Compensatory time off is time off from regularly scheduled work in lieu of compensation for overtime worked. Supervisors will insure that workweeks are scheduled so far as practicable to support peak workloads in order to minimize the requirement for compensatory time. Compensatory leave is similar to annual leave in the criteria for usage.

8-2 AUTHORIZATION OF COMPENSATORY TIME. Overtime work must be ordered and approved, in writing, in advance. The approving official must be at least one level higher than the first line supervisor. Those individuals who report directly to the Air Commander or The Adjutant General are exceptions. The Air National Guard will use AF Form 428; the Army National Guard will use AGONM HRO Form 550. Copies are attached at Appendices C and D. The completed form will be submitted to Technician Pay Branch with the Time and Attendance Cards. This form will also be used if holiday work is required.

8-3 EARNING COMPENSATORY TIME. Compensatory time may be earned in multiples of 15 minutes in the following situations:

a. Work that is in excess of 80 hours biweekly in duties necessary and proper as a technician in support of the National Guard, and that is ordered by the technician's supervisor or by The Adjutant General, is compensable as overtime.

b. Time spent in a travel status at or away from the official duty station outside of regular working hours, and, if applicable, outside the existing mileage radius used for per diem purposes, is compensable as overtime worked in the following types of travel:

(1) Home to work travel (see Table 1): Travel by an employee to and from work before and after the regular workday is a normal incident of employment and is not compensable except as noted in Table 1.

(2) Travel within the limits of the official duty station. As specified by Vol. 2 of the Joint Travel Regulation, time spent traveling by a technician within the limits of her or his official duty station before or after regular working hours that is directly associated with the performance of a given job assignment and serves to extend the technician's regular tour of duty is hours worked (see Table 2).

(3) Travel away from official duty station and work performed while traveling. Any work that a technician is required to perform while traveling shall be counted as hours worked. When a technician is required to drive a vehicle or pilot an aircraft at the request and on behalf of the agency, this time is counted as hours worked. A technician who is required to ride on such trips to assist in the operation of the conveyance is working while riding and shall have such time spent traveling similarly counted as hours worked. Furthermore, any other technician required to perform work while traveling shall have the time spent counted as hours worked. (See Table 3 and 3A, 3B[1], and 3B[2].)

(4) Travel as a passenger on a one-day assignment away from official duty station. Travel as a passenger to and returning away from official duty station outside the limits of the official duty station during the same day is viewed as hours worked. The time spent in authorized travel as a passenger (by common carrier or by automobile) during the one-day assignment is considered hours worked. Time spent waiting at a common carrier terminal in excess of normal waiting time that occurs outside regular working hours is not hours worked (see Table 4).

(5) Travel as a passenger that keeps technician away from official duty station overnight. A technician who performs such travel during regular working hours on regular workdays is substituting travel for other duties during these hours and the time spent traveling is hours worked. The same principle applies to such travel as a passenger during corresponding hours on non-work days (hours that correspond to an employee's regular working hours or regular workdays). However, time spent traveling as a passenger that occurs outside regular working hours (and outside corresponding hours of work on non-work days) is not considered hours of work if the travel keeps the technician away from official duty station overnight and the technician performs no work while traveling. Furthermore, time spent waiting at a common carrier terminal in excess of normal waiting time that occurs during corresponding hours on non-work days is not included as hours worked.

(6) Special situations:

(a) Travel by mode of transportation other than that selected by the agency. When a technician, for personal reasons, such as an aversion to flying, does not use the mode of transportation selected by the agency, the technician shall be credited with the lesser of (1) that portion of the actual travel time that is to be considered working time under these instructions, or (2) that portion of the estimated travel time that would have been considered working time under these instructions had the technician used the mode of transportation selected by the employing agency.

(b) Travel at a time other than that selected by the employing agency. The agency is responsible for specifying, within reasonable limits, the time during which authorized travel will be performed by its technicians. To the maximum extent practicable, the travel of a technician away from her or his official duty station shall be scheduled within the technician's regularly scheduled workweek. When a technician, for personal reasons, travels at a time or along a route other than that selected by the agency, or interrupts such travel, the technician shall be credited with the lesser of (1) that portion of the actual travel time which is to be considered working time under these instructions, or (2) that portion of the estimated travel time which would have been considered working time under these instructions had the technician traveled at the time and by the route selected by the agency.

(c) Travel that involves two or more time zones. The time zone from point of first departure for the workday will be used to determine whether the technician performed the travel during regular working hours or during corresponding hours on non-work days.

(d) When the primary purpose of the technician assignment, at or away from the official duty station, is for training, compensatory time is not authorized during such period of training.

(e) Compensatory time is not authorized for hours worked on a holiday or observed day for which the holiday rate is payable.

**8-4 GRANTING COMPENSATORY TIME OFF**

- a. It is granted on the basis of one hour off duty for each hour of overtime worked.
- b. Compensatory time must be taken within 13 pay periods from the pay period in which it was earned. There are no provisions for restoration of compensatory time.
- c. Positive steps will be taken by supervisors and employees to ensure that accrued compensatory time is scheduled for use to avoid forfeiture. Compensatory time will be taken before annual leave, except in those instances where forfeiture of annual leave will occur.
- d. Compensatory time off will not be granted before it is earned.
- e. Compensatory time off may also be granted when ordered to active duty to provide support services not involving law enforcement duties. For example:
  - (1) participation in rescue or protective work in connection with fires, floods, or other natural phenomena.
  - (2) dropping feed to cattle during a blizzard.
  - (3) providing support services during a strike.
  - (4) assisting state officials during refugee processing.

**8-5 GRANTING COMPENSATORY TIME OFF FOR RELIGIOUS OBSERVANCES**

- a. An employee whose personal religious beliefs require the abstention from work during certain periods of time may elect to engage in overtime work for time lost for meeting those religious requirements.
- b. To the extent that such modifications in work schedules do not interfere with the efficient accomplishment of an agency's mission, the agency shall in each instance afford the employee the opportunity to work compensatory overtime and shall grant compensatory time off to an employee requesting such time off for religious observances when the employee's personal religious beliefs require that the employee abstain from work during certain periods of the workday or workweek.
- c. For the purpose stated in paragraph (b) of this section, the employee may work such compensatory overtime before or after the grant of compensatory time off. A grant of advanced compensatory time off should be repaid by the appropriate amount of compensatory overtime work within a reasonable amount of time. Compensatory overtime shall be credited to an employee on an hour for hour basis or authorized fractions thereof. Appropriate records will be kept on compensatory overtime earned and used.
- d. The premium pay provisions for overtime work do not apply to compensatory overtime work performed by an employee for this purpose.

TABLE 1

## HOME TO WORK TRAVEL AS "HOURS OF WORK"

Kind of travel involved:	Is travel time "hours of work"?
<b>A. Home to work -- normal situation</b>	
Normal home to work or work to home travel	No
Technician drives a government vehicle home (as a requirement of the employing agency) to respond to emergency calls immediately from her/his home.	Yes (1)
Technician drives a government vehicle home (as a requirement of the employing agency) to transport other employees home to work or job site.	Yes (1)
Technician reports a designated meeting place and drives a vehicle (as a requirement of the employing agency) to transport other employees or equipment to a job site.	Yes (2)
Technician reports at a designated meeting place and is transported as a passenger by government vehicle to a job site.	No
Technician reports at a designated meeting place (receives instructions, performs other work, or picks up and carries tools) and is transported as a passenger by government vehicle to a job site.	Yes (2)
<b>B. Home to work -- emergency situation</b>	
Technician at home receives an emergency call outside regular working hours to return (travel) to normal duty location or another job site within the limits of the official duty station.	No
Technician at home receives an emergency call outside regular working hours to travel to a temporary station outside the limits of the official duty station and the distance traveled is greater than normal home to work travel.	Yes (3)

NOTES:

- (1) All time spent driving the vehicle home to work and work to home is hours worked.
- (2) The travel from home to the designated meeting place and return is normal home to work travel. However, the performance of work or other activity that is an integral part of the technician's job, such as picking up tools or receiving instructions, at the designated meeting place constitutes the commencement of the technician's workday. All subsequent travel to a job site and return is hours worked.
- (3) If the distance to the temporary duty location outside the limits of the official duty station is in excess of the distance from the technician's home to normal duty location, the entire time spent traveling from the technician's home to the temporary duty location and return is hours worked. Conversely, if the distance to the temporary duty location is equal to or less than the distance from the technician's home to normal duty location, the time spent traveling to the temporary duty location and return is not hours worked.



TABLE 2

**TRAVEL WITHIN THE LIMITS OF THE  
OFFICIAL DUTY STATION AS "HOURS OF WORK" (1)**

Kind of travel involved:	Is travel time "hours of work"? (2)	
	During regular working hours	Outside regular working hours (3)
From home directly to job site before regular working hours	Not applicable	No (4)
From normal duty location to job site	Yes	Yes
From job site to job site	Yes	Yes
From job site to normal duty location	Yes	Yes
From job site directly to home after regular working hours	Not applicable	No (4)

NOTE: For purposes of this table, the term "job site" means a duty location within the limits of the official duty station other than the technician's normal duty location.

- 
- (1) These rules apply to travel either as a driver of a vehicle or a passenger in a vehicle within the limits of the official duty station during the same day.
- (2) Normal home to work or work to home travel and bona fide meal periods are not included in hours worked.
- (3) For travel time outside regular working hours to be compensable under this basic principle, the time spent traveling must be continuous with and serve to extend the technician's regular tour of duty.
- (4) Travel from home directly to a job site within the limits of the official duty station is viewed as normal home to work travel. The same applies for travel from a job site directly to the technician's home after regular working hours.

TABLE 3

**WORK PERFORMED WHILE TRAVELING AWAY FROM  
OFFICIAL DUTY STATION AS "HOURS OF WORK"**

Kind of travel involved:	Is travel time "hours of work"? (1)
Driver of an automobile, truck, bus, or other vehicle	Yes
Pilot of an airplane, helicopter, or other aircraft	Yes
Pilot of a boat, barge, or other vessel (not subject to the seaman exemption)	Yes
Assistant driver or crew member assisting in the operation of a vehicle or aircraft	Yes
Passenger riding in a vehicle (not otherwise entitled to hours worked for travel as a passenger)	No (2)
Any other employee required to perform work while traveling; e.g.,	Yes
Courier carrying classified documents	
Guard escorting a prisoner	
Security specialist guarding classified or valuable equipment in transit.	

- (1) Bona fide meal periods are deducted from hours worked. Under certain conditions sleeping periods or periods when a technician is relieved from duty are not included in hours worked.
- (2) If a passenger shares the driving of a vehicle with the driver, each is considered to be performing work while traveling only for that portion of the trip during which she/he is actually driving the vehicle.

**TRAVEL AS A DRIVER OF A PASSENGER VEHICLE TO A  
TEMPORARY DUTY STATION AS "HOURS OF WORK"**

**TABLE 3A: Travel as a driver on a one-day assignment (to and return from a temporary duty station during the same day).**

<b>If a technician drives a vehicle: (1)</b>	<b>and, if:</b>	<b>then, is the travel time outside regular working hours "hours of work"? (2)</b>
From home directly to TDY station/job site	the job site is located within the limits of the official duty station	NO
	the TDY station is located outside the limits of the official duty station	YES (3)
From a TDY station/job site directly to her/his home	the job site is located within the limits of the official duty station	NO
	the TDY station is located outside the limits of the official duty station	YES (3)

**TABLE 3B: Travel as a driver that keeps a technician away from official duty station overnight which includes:**

**TABLE 3B(1): Travel to the first temporary duty station and return from the last temporary duty station (4)**

<b>If an employee drives a vehicle (1)</b>	<b>is the travel time outside regular working hours "hours of work"? (2)</b>
From home directly to a TDY station	Yes (3)
From home directly to temporary lodgings	Yes
From temporary lodgings to TDY station or return	No
From a TDY station directly to her/his home	Yes (3)
From temporary lodgings directly to her/his home	Yes (3)

TABLE 3B(2) Travel to a second or subsequent temporary duty station

If an employee drives a vehicle (1)	and, if the 2nd TDY station is located	and, if the employee	then, is the travel time outside regular hours "hours of work"? (2)
From 1st temporary lodgings to 2nd TDY station/job site	within limits of 1st TDY station/	N/A	No
	outside limits of 1st TDY station	returns to 1st TD station same day/	Yes (5)(6) -
		remains overnight at 2nd TDY station	Yes (5)(7)
From 1st temporary lodgings to 2nd temporary lodgings	within limits of 1st TDY station/	N/A	No
	outside limits of 1st TDY station	remains overnight at 2nd TDY station	Yes
From 1st TDY station to 2nd temporary lodgings	within limits of 1st TDY station/	N/A	No
	outside limits of 1st TDY station	remains overnight at 2nd TDY station	Yes (5)

- (1) In contrast to home to work situations covered herein, it should be noted that if a technician drives a vehicle from her or his official duty station directly to a TDY station (or from the first TDY station directly to a subsequent TDY station), the travel time is hours worked regardless of whether the TDY station (job site) is located within or outside the limits of the official duty station. The same rule applies for the return trip.
- (2) All travel time as a driver of a vehicle during regular hours is hours worked.
- (3) The technician shall be compensated for the time spent driving that is in excess of normal home to work travel. (This deduction of normal home to work travel from the total travel time involved is appropriate only when the home to work portion of the travel is performed outside regular working hours, which also means outside corresponding hours on non-work days.)
- (4) If the technician, for personal reasons, does not use temporary lodgings provided at the temporary duty station and commutes daily from home, the daily home to work travel is not working time. Only the employee's travel time in excess of normal home to work travel to the first temporary duty assignment and from the last temporary assignment is considered hours worked.
- (5) The technician shall be compensated from the time spent driving that is in excess of normal commuting time at the first temporary duty station (i.e., travel time in excess of normal travel from first temporary lodgings to the first temporary duty station).
- (6) The excess travel time to the employee's temporary lodgings on the return trip is also hours worked.
- (7) If the employee, for personal reasons, does not use temporary lodgings provided at the second temporary duty station, the daily commuting time on the second and subsequent days is not compensable hours worked.

NEW MEXICO ARMY AND AIR NATIONAL GUARD  
OFFICE OF MILITARY AFFAIRS  
SANTA FE, NEW MEXICO 87505-4695

AGONM Technician Personnel  
Regulation Number 630  
Change 16

1 October 1999

TECHNICIAN PERSONNEL (ARMY AND AIR)  
ABSENCE AND LEAVE

AGONM TPR 630 is changed as follows:

Page iv, as reads:

APPENDIX C AGONM HRO FORM 550  
APPENDIX D AF FORM 428  
APPENDIX E AGONM HRO FORM 630-1

Is changed to read:

APPENDIX C AGONM HRO FORM 630-1  
APPENDIX D NGB FORM 46-14

Page 15, para 8-2, lines 4-7, as reads:

The Air National Guard will use AF Form 428; the Army National Guard will use AGONM HRO Form 550. Copies are attached at Appendices C and D. The completed form will be submitted to Technician Pay Branch with the Time and Attendance Cards. This form will also be used if holiday work is required.

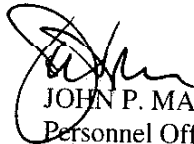
Is changed to read:

NGB Form 46-14 will be used. Copy is attached at Appendix D. The completed form will be submitted to the Technician Pay Branch with the Time and Attendance Cards.

Remove Appendices C and D

Change heading of AGONM HRO FORM 630-1 from "APPENDIX E" to "APPENDIX C"

Insert NGB FORM 46-16 as APPENDIX D

  
JOHN P. MATANOCK, Lt Col, NMANG  
Personnel Officer

DISTRIBUTION:  
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## APPENDIX D

**REQUEST, AUTHORIZATION, AND REPORT OF COMPENSATORY TIME**THRU *(if applicable)*TO *(approving officer)*

FROM

T&A ACTIVITY	SOCIAL SECURITY NUMBER	EMPLOYEE NAME	DATE WORK IS TO BE PERFORMED	NUMBER OF HOURS REQUESTED

NATURE OF DUTIES AND JUSTIFICATION FOR COMPENSATORY TIME

TYPED NAME AND TITLE

REQUESTED BY *(signature)*

DATE

TYPED NAME AND TITLE

AUTHORIZED BY *(signature)*

DATE

**TRAVEL AS A PASSENGER ON A ONE-DAY  
ASSIGNMENT AWAY FROM OFFICIAL DUTY  
STATION AS "HOURS OF WORK"**

Kind of travel involved:	Is travel time outside regular working hours "hours of work"? (2)
<b>A. Travel by common carrier:</b>	
Travel time from home to common carrier terminal	No (3)
Normal waiting time at the terminal prior to scheduled departure time of the common carrier	Yes (4)
Travel time from scheduled departure time from the terminal to arrival time at the terminal at point of destination	Yes
Usual waiting time that interrupts travel	Yes (5)
Travel time from terminal at point of destination to temporary duty station	Yes
<b>B. Travel by automobile</b>	
Travel time from official duty station to temporary duty station	Yes
Travel time from home directly to temporary duty station	Yes (6)

The same rules apply for travel time and waiting time on the return trip from the temporary duty station to the technician's official duty station or directly to the technician's home.

Note: For purposes of this table, the term "temporary duty station" means a duty station outside the limits of the technician's official duty station.

- 
- (1) All travel time during regular working hours (excluding bona fide meal periods) is hours worked.
- (2) Bona fide meal periods are deducted from hours worked.
- (3) Since, except for the one-day assignment, the technician would have had to report to her/his normal duty location, the travel time between the technician's home and the common carrier terminal is not included in hours worked. However, if (a) the common carrier terminal is located outside the limits of the official duty station and (b) the technician's travel time from home to common carrier terminal is in excess of normal home to work travel, the technician shall be credited with the excess travel time as hours worked.

**TABLE 4 - Travel as a passenger on a one-day assignment away from official duty station as "hours of work"**

- (4) Normal waiting time at the terminal from designated pre-departure time until scheduled departure time of the common carrier is hours worked. Any waiting time in excess of normal waiting time is not hours worked.
- (5) When a technician travels to an intervening common carrier terminal and has to wait for a connecting flight to continue traveling to a temporary duty station, the usual waiting time at the intervening common carrier terminal is normal waiting and is hours worked.
- (6) The technician shall be credited with the lesser of (a) the actual hours worked for the time spent traveling to the temporary duty station excluding normal home to work travel, or (b) the estimated hours worked for such travel had the technician traveled directly from official duty station to the temporary duty station.



## CHAPTER 9

## EXCUSED ABSENCE

9-1 **GENERAL.** The authority to grant excused absence to technicians is within the administrative discretion of the State Adjutant General or designee. In addition to the more common situations listed, technicians may also be authorized excused absence from regular duty assignments for brief periods without charge to leave to perform acts or services in situations where the Adjutant General or delegated official has made a determination that support of the activity would benefit the National Guard.

9-2 **HOLIDAYS.** The following are holidays for National Guard technicians:

- a. New Years Day: first day of January
- b. Martin Luther King's birthday: third Monday of January
- c. Washington's birthday: third Monday of February
- d. Memorial Day: last Monday of May
- e. Independence Day: fourth day of July
- f. Labor Day: first Monday of September
- g. Columbus Day: second Monday of October
- h. Veterans Day: eleventh day of November
- i. Thanksgiving Day: fourth Thursday of November
- j. Christmas Day: twenty-fifth day of December

9-3 **REGISTRATION AND VOTING.** Supervisors may excuse technicians for a reasonable time when practicable to do so without seriously interfering with operations to vote or to register in any election or in referendums on civic matters in their community. Generally, a technician is excused from duty so as to permit him to report for work three hours after the polls open or to leave work three hours before the polls close, whichever results in the lesser amount of time off. Under unusual circumstances, an employee can be excused up to a full day.

9-4 **PARTICIPATION IN FUNERALS.** Excused absence may be granted to technicians, including temporary technicians, for up to four hours in any one day while participating in State active duty status as active pallbearers or as members of firing squads in funeral ceremonies for members or former members of the Armed Forces, including the National Guard.

9-5 **EXAMINATIONS.** A technician who takes or is required to take an examination, either mental or physical, as a condition for continued employment or promotional opportunity in the National Guard, may be excused for the time required for such examinations.

9-6 **CONFERENCES OR CONVENTIONS.** Technicians attending conferences or conventions may be excused without charge to leave if it has been determined by the State Adjutant General or his designee that such attendance would be in the best interest of the Federal Government or the National Guard.

9-7 **BLOOD DONATION.** A technician who makes a blood donation without compensation may be excused from work for a reasonable time without charge to leave. This excused absence will not be carried forward or used on another day. This excused absence should follow immediately upon the blood donation since its purpose is the convalescence of the employee.

9-8 **TARDINESS AND BRIEF ABSENCE.** Brief absences from duty of less than an hour and tardiness may be excused when the reasons are justified to the supervisor.

9-9 **CIVIL ACTIVITIES.** Technicians may be excused for short periods to participate in civil activities the Federal Government is interested in encouraging. These periods will be confined to not more than a combined total of three workdays during a calendar year. Official civil activities may include but are not limited to inaugurations, dedication of public buildings and projects, ceremonies for officially invited governmental visitors, and the convening of legislative bodies. Before granting excused absence, it should be determined that such participation is in the best interest of the Federal Government, including the National Guard.

Note: Technicians should be advised that, if they suffer injury or death as a result of state active duty, they are not eligible for employee's compensation benefits under the Federal Employees' Compensation Act. State active duty does not constitute performance of official technician duties. Coverage under the Federal Employees' Compensation Act for injuries incurred while on excused absence in other situations will be determined on a case-by-case basis by the U. S. Department of Labor.

#### 9-10 **ADMINISTRATIVE DISMISSAL.**

a. Closing of an activity. The closing of an activity for brief periods is within the administrative authority of the Adjutant General or his designee. This authority will be used sparingly and only for short periods of time, normally not to exceed three consecutive workdays for any single period of excused absence. The excused absence will cover all affected technicians only from the time the decision is made to the end of their tour of duty. Thus if an activity dismisses at 2 p.m., technicians who work until 4 p.m. will have two hours of administrative leave, and those who work until 5 p.m. will have three hours. Examples of reasons for administrative dismissal are:

- (1) Interruption of normal operations of an establishment by events beyond the control of management or technicians such as emergency conditions due to climatic conditions (hurricanes, floods, severe storms) or the breakdown of transportation facilities.
- (2) For managerial reasons when the closing of an establishment or portions thereof is required for short periods of time. The reasons may include such matters as lack of material, breakdown of equipment, or power failure.
- (3) Fuel crisis of limited duration brought about by severe weather.
- (4) For local holidays or celebrations when excused absence would not interfere with the basic mission of the National Guard.
- (5) For those instances when Federal work may not be properly performed. In determining this, the Adjutant General will use the following standards:
  - (a) The building services essential to proper performance of work are not operating.
  - (b) Local transportation services are discontinued or interrupted to the point where technicians are prevented from reporting to their work location.

(c) The duties of the technicians consist largely or entirely of dealing directly with employees and officials of business or industrial establishments that are closed in observance of the holiday, and there are no other duties consistent with their normal duties to which the technicians can be assigned on the holiday.

**9-11 EFFECT OF DISMISSAL.** When group dismissals occur by reasons of closing an activity or by releasing technicians in the public interest, technicians affected by these actions are generally excused without charge to leave and without loss of pay. However, the authority to excuse technicians administratively is not to be used for periods of interrupted or suspended operations that may be anticipated in sufficient time to permit the arrangement of other work or the scheduling of annual leave. Normally, where 24 hours' advance notice can be given, technicians who cannot be assigned to other work must be placed on annual leave with or without their consent.

When unavoidable circumstances make a 24-hour notice impractical, technicians may be placed on leave with or without their consent if notice is given before the end of the work period immediately preceding the one in which they are to be placed on leave. Efforts will be made to keep to a minimum the occasions on which a technician is required to take leave with less than 24-hour notice, and such leave will not exceed five days in any one leave year. When an activity is not closed, but due to climatic conditions or the breakdown of transportation facilities, it is impossible for some technicians to report to work, it is within the administrative discretion of the Adjutant General or his designee to excuse such absences without loss of pay or charge to leave or to require the use of annual leave.

**9-12 ON-THE-JOB INJURIES.** A technician who sustains a job-related injury in the performance of assigned duties will be carried on the Time and Attendance card in the following manner.

(a) On day of injury: If the injury occurs during the technician's work shift and the injury requires medical care or the technician cannot continue her/his duties and goes home, she/he will be carried on administrative leave for the absence during that day. Absence resulting from the injury in excess of the day the injury occurred is chargeable to annual leave, sick leave, LWOP, or to the provisions of 9-12b.

(b) Traumatic on-the-job injuries: A technician who sustains a job-related traumatic injury in the performance of assigned duties is entitled to continuation of regular pay for a period of not more than 45 calendar days. Continuation of pay will be recorded on the Time and Attendance card as administrative leave with an annotation in the remarks section as follows:

NMARNG: "Continuation of Pay"; show the total number of hours so charged. A memorandum from the Human Resources Office will be attached to the TA card stating that the technician has suffered a traumatic disabling work-related injury and is entitled to continuation of pay.

NMANG: Follow procedures as outlined in AFM 177-372, Vol. II.

The 45 days start at the beginning of the first shift after the day of injury. The technician will be kept in a pay status for any fraction of a day or shift on which the disability begins without charge to the 45-day period. If the technician is not immediately disabled as a result of the injury, the 45 days begin on the first full day or first full shift on which disability begins.

## CHAPTER 10

## ABSENCE FOR MATERNITY REASONS

## 10-1 GENERAL.

a. Pregnancy is a condition that eventually requires the technician to be absent from the job because of incapacitation. An absence covering pregnancy and confinement is to be treated like any other medically certified temporary disability.

b. Leave for maternity reasons can be a combination of three kinds of leave: sick, annual, and leave without pay.

c. Sick leave may be used to cover the time required for physical examinations and to cover the period of incapacitation. After delivery and recuperation, the technician may desire a period adjustment or need time to make arrangements for the care of the child. Such additional leave requirements may be taken care of by the use of available annual leave or leave without pay.

## 10-2 RESPONSIBILITIES.

## a. Employee responsibility.

(1) A technician should make known her intent to request leave for maternity reasons, including the type of leave, approximate dates, and anticipated duration to allow the agency to prepare for any staffing adjustments that may be necessary.

(2) A technician may be required to submit an application for sick leave, annual leave, or leave without pay in accordance with existing regulations.

## b. Agency responsibility.

(1) The agency's overall objective is to provide gainful employment and make use of skills for as long as the employee is not incapacitated for duty.

(2) The agency should be aware of any working conditions that could have an adverse effect upon technicians with various physical conditions. If any of these elements could have a harmful effect on the pregnant technician, she should consult her own physician on this matter.

(3) If, after consulting her physician, the technician requests modification of her work duties or a temporary reassignment, every reasonable effort will be made to accommodate her request.

**10-3 CONTINUED EMPLOYMENT AFTER MATERNITY LEAVE.**

a. Technicians planning to return to work. The National Guard has an obligation to assure continued employment in her position or a position of like seniority, status, and pay, to the technician who wishes to return to work following delivery and confinement, unless termination is otherwise required by expiration of appointment, by reduction in force, for cause, or for similar reasons unrelated to the absence due to maternity.

b. Technicians not planning to return to work. A technician who is not planning to return to work should submit her resignation at the expiration of her period of incapacitation or she may be separated at such earlier date as may be required for other reasons; e.g., expiration of appointment, reduction in force, for cause, or for similar reasons unrelated to the absence due to maternity.

**10-4 ABSENCE FOR PATERNITY REASONS.** A male technician may request annual leave, sick leave, or leave without pay for the purpose of assisting or caring for his minor children or the mother of his newborn child while she is incapacitated for maternity reasons. Approval of leave for this reason should be consistent with the NGB policy for granting leave in similar situation, and each leave request should be considered on its own merits.

## CHAPTER 11

## BASIC WORKWEEK, HOURS OF WORK, OVERTIME, LEAVE

11-1 ADMINISTRATIVE WORKWEEK. The administrative workweek shall consist of seven (7) consecutive calendar days, Sunday through Saturday.

## 11-2 BASIC WORKWEEK AND HOURS OF WORK.

a. Hours of work and the basic workweek of five (5) consecutive eight (8) hour days shall be prescribed by the Adjutant General or as delegated to the Air Commander, or commanders and supervisors of subordinate organizations or activities to accomplish the mission of the activity.

b. The basic workweek of the Army National Guard will be five (5) consecutive eight (8) hour days Monday through Friday. The basic workweek of the Air National Guard will be five (5) consecutive eight (8) hour days Monday through Friday or Tuesday through Saturday.

c. Management may change the basic workweek of the base, activity, or organizations to meet the requirement of the mission.

d. Hours of work or tour of duty of technicians may be changed to meet mission requirement, such as night flying, etc. Technicians regularly scheduled for other than normal tours of duty will receive night differential pay, holiday pay, premium pay, or compensatory time.

e. Management will consider individual requests from Air National Guard technicians for changes in basic workweek or rotation of basic workweek on a three(3) month basis, considering the mission, section assignment, occupational series, skills and abilities of the technician involved. The decision on whether a technician's work week will be changed or rotated will be made by the chief of the activity.

f. Hours of duty of the NMANG within the workday will normally be eight (8) hours of duty between the hours of 0600 and 2300 as designated by the Air Commander, supervisor, or commander of the organization or activity with consideration for the opinion of the technicians employed and the mission of the activity or organization.

g. When a vacancy occurs on a shift after the initial assignments, employees from other shifts who volunteer will be considered. Employees may swap shifts on a permanent or temporary basis if both agree to the exchange and management approves and receives one week's notice of their intentions.

11-3 CHANGES IN BASIC WORKWEEK AND HOURS. The days and hours of a technician's basic workweek may be changed if the technician receives as much advance notice as possible, but not less than one (1) week's notice before the first day of work affected by the change.

11-4 OVERTIME. General. Overtime is necessary and proper work authorized by the supervisor in excess of eight (8) hours of work per day or in excess of forty (40) hours in the administrative workweek. Overtime can be earned in increments of 15 minutes. It must be authorized by the second-level supervisor.

11-5 IRREGULAR AND REGULAR OVERTIME.

- a. Irregular or occasional overtime is overtime performed on an intermittent or occasional basis, even though planned or scheduled in advance of performance.
- b. Regular overtime is overtime scheduled in advance for specific periods of stated days and that will recur over an extended period of at least two workweeks.

11-6 OVERTIME PROCEDURES.

- a. Overtime will be kept to a minimum consistent with mission and workload requirements as determined by the employer. Overtime work assignments shall be distributed equally as practicable on a rotating basis among all qualified employees within the trade, craft, or occupation in the organizational element for which overtime has been authorized. In no case will overtime be assigned to any employee as a reward or punishment. Employees assigned to work overtime must be qualified to perform the overtime work in a safe, efficient, and expeditious manner.
  - b. Records shall be maintained on overtime performed.
  - c. The employer will notify employees of the necessity of performing overtime work immediately after establishing firm overtime requirements. The employer will provide this notice at least three work days prior to the scheduled period of overtime. However, emergency situations may preclude such advance notice of overtime work.
  - d. When, in case of emergency, as determined by the employer, employees are not informed of overtime assignments prior to start of their tour of duty, and are expected to work more than two (2) hours beyond the end of their daily tour of duty, an opportunity to obtain food at their expense, and a nonpaid thirty (30) minute lunch period to consume it at the worksite will be provided. The nonpaid lunch period shall be free from all duty obligations, unless the nature of the work is such that it cannot be interrupted, in which case the employer will allow the food consumption to occur in a work status.
  - e. Employees will be given a work schedule for holidays, when the situation does not meet the definition of emergency, at least thirty (30) days in advance, or immediately following notification of such requirement.
- 11-7 CALLBACK. Unscheduled callback work performed by an employee on a day when work was not scheduled for her/him, or for which she/he is required to return to her/his place of employment, is deemed to be at least two (2) hours in duration.

11-8 FLEXI-TOURS.

a. It is the policy of the New Mexico National Guard that:

(1) All activities in the New Mexico National Guard are authorized to participate in and to implement flexi-tour work schedules as defined herein.

(2) All activities will operate on an 8-hour, 5-day workweek.

b. Definitions:

(1) Administrative workweek. Seven consecutive calendar workweek days beginning at 0001 Sunday and ending at 2400 on the following Saturday.

(2) Basic workweek. The days and hours of an administrative workweek.

(3) Regular tour of duty. A forty-hour workweek consisting of five consecutive eight-hour days of each administrative workweek.

(4) Flexi-tour. A forty-hour workweek consisting of five consecutive eight-hour days in which technicians may vary their arrival and departure times with approval of their supervisor.

c. Flexi-tour. Activities and technicians on a flexi-tour of duty, to include various subsections, must insure that personnel are available to respond to mission requirements during core hours on their established five-day week.

(1) Core time will be established at the discretion of the supervisor after informal discussion with individual employees.

(2) For specific purposes such as night flying or mission requirement, other regular flexi-tour shifts may be established.

(3) Lunch periods will not exceed one (1) hour.

(4) Once the earliest starting time and latest quitting time are established by the supervisor, a technician can then select her or his individual starting time and work 8 hours thereafter. This will establish the technician's flexi-tour of duty upon approval of the supervisor.



11-9 REST PERIODS. Supervisors are encouraged to grant short rest periods during the daily tour, when such periods are beneficial and/or necessary. The policy adopted will be stated in writing, and the technicians will be advised accordingly.

a. Criteria for determining the policy are as follows:

(1) Protection of technician's health by relief from hazardous work or that which requires continual and/or considerable physical exertion.

(2) Reduction of accident rate by removal of potential for fatigue.

(3) Working in confined spaces or in areas where normal personal activities are restricted.

(4) Increase in or maintenance of high quality and/or quantity production traceable to the rest period.

b. Rest periods granted in accordance with these provisions are considered duty time and are included in the daily tour of duty.

(1) The rest period may not exceed fifteen (15) minutes during each four (4) hours of continuous work.

(2) If the period from the beginning of the daily tour to the lunch period is less than four (4) hours, a rest period should be granted only in unusual circumstances.

(3) The rest period may not be a continuation of the lunch period.

11-10 LUNCH PERIODS. All employees shall receive at their discretion, either a half hour or an hour lunch period, except in emergency situations. The lunch period will be approximately midway through the tour of duty. The employees shall be free to leave the worksite during this period.

## CHAPTER 12

## VOLUNTARY LEAVE TRANSFER PROGRAM

12-1 PURPOSE. The purpose of this chapter is to set forth procedures and requirements for a leave transfer program under which the unused accrued annual leave of one NMNG technician may be transferred for use by another NMNG technician who needs such leave because of a personal emergency.

12-2 APPROVAL/DISAPPROVAL AUTHORITY. The Human Resources Officer (HRO) has the responsibility of approving or disapproving all requests for leave transfers. This will be done in accordance with the procedures outlined in this chapter.

## 12-3 DEFINITIONS:

- a. Leave donor: an employee who voluntarily and in writing requests transfer of annual leave to the annual leave accounts of one or more leave recipients.
- b. Leave recipient: an employee for whom the HRO has approved an application to receive annual leave from the annual leave accounts of one or more leave donors.
- c. Personal emergency: a medical or family emergency or other hardship situation that is likely to require an employee's absence from duty for a prolonged period of time and to result in a substantial loss of income to the employee because of unavailability of paid leave. Whether a situation constitutes an emergency or a hardship will be left to the judgment of the HRO based upon the documentation submitted.
- d. Representative rate: the fourth rate of the grade for General Schedule positions, and the second rate of the grade in a prevailing rate schedule.

## 12-4 PROCEDURES FOR APPLYING TO BECOME A LEAVE RECIPIENT:

- a. A technician who has been affected by a personal emergency may make a written application through her/his first and second line supervisor to the Human Resources Officer (HRO). If such a technician is not capable of making application on her/his behalf, another NMNG technician may make written application on her/his behalf. The application must be accompanied by the following information:
  - (1) her/his position title, and grade or pay level.
  - (2) a brief description of the nature, severity, and anticipated duration of the medical, family, or other hardship situation affecting her/him; and,
  - (3) any additional relevant information including medical documentation, if appropriate; e.g., doctor's statements.
- b. The first level supervisor will endorse the Optional Form 630 indicating a recommendation for approval or disapproval. Recommendations for disapproval must be accompanied by the reasons for disapproval.

#### 12-5 PROCESSING APPLICATIONS OF LEAVE RECIPIENTS:

a. The Human Resources Officer (HRO) will review an application to become a leave recipient to insure that:

(1) the recipient has been affected by a personal emergency as defined by paragraph 12-2c above, and

(2) the absence from duty without available paid leave is (or is expected to be) at least three (3) workdays.

b. If the application is approved, the HRO will forward a copy of the completed Optional Form 630 to the recipient.

c. If the application is disapproved, the HRO will forward a copy of the disapproved Optional Form 630 together with the reasons for disapproval to the applicant.

12-6 PROCEDURES FOR APPLYING TO BECOME A LEAVE DONOR. NMNG Technicians who wish to donate accrued annual leave must submit an Optional Form 630-A to the Human Resources Office (HRO). A copy of this form is attached as Appendix B to this chapter. This form may be reproduced locally.

#### 12-7 RESTRICTIONS ON DONATION OF ANNUAL LEAVE.

a. The HRO will not transfer annual leave to a leave donor's official superior or to a technician at a higher grade or pay level than the leave donor. In the case of annual leave transfers between technicians under different pay schedules, the representative rate of the grade or pay level of the leave recipient shall be compared with the representative rate of the grade or pay level of the potential leave donor. If the representative rate of the grade or pay level of the leave recipient is greater than the representative rate of the grade or pay level of the potential leave donor, the HRO will not transfer annual leave from the potential leave donor to the leave recipient.

b. The transfer of annual leave between technicians of the New Mexico Air National Guard and technicians of the New Mexico Army National Guard will not be allowed.

c. In any one leave year, a leave donor may donate no more than a total of one-half the amount of annual leave she/he has accrued during the leave year in which the donation is made.

d. A leave donor who will have forfeited annual leave at the end of the leave year may donate no more than the number of hours she/he will accrue in the remainder of the leave year.

#### 12-8 PROCESSING APPLICATIONS OF LEAVE DONORS.

a. If application is approved, HRO will forward a copy of the approved Optional Form 630-A to both the donor and the recipient.

b. If application is disapproved, HRO will forward a copy of the disapproved Optional Form 630-A to the donor applicant with the reasons for disapproval.

**12-9 USE OF TRANSFERRED ANNUAL LEAVE.**

- a. A leave recipient may use annual leave transferred to her or his annual leave account under the provisions of this chapter in the same manner and for the same purposes listed in paragraph 2-2, Chapter 2 of this regulation; however, annual leave that accrues to the account of the leave recipient shall be used before any transferred annual leave.
- b. Approval of the use of transferred annual leave will be subject to the same conditions outlined in paragraph 2-3, Chapter 2 of this regulation.
- c. Transferred annual leave may accumulate without regard to limitations imposed by paragraph 2-6, Chapter 2 of this regulation.
- d. Transferred annual leave may not be:
  - (1) transferred to another leave recipient;
  - (2) transferred to another Federal agency upon the leave recipient's transfer of employment;
  - (3) included in a lump-sum payment upon separation or upon entering active duty; or
  - (4) made available for recredit upon reemployment by a Federal agency.

**12-10 MONITORING THE STATUS OF PERSONAL EMERGENCY.** The HRO will be responsible for monitoring the status of the personal emergency of the recipient by requesting written biweekly updates of the emergency situation.

**12-11 ADMINISTRATIVE PROCEDURES FOR TRANSFERRING ANNUAL LEAVE:**

- a. The HRO will provide the appropriate Comptroller Office copies of the approved application of both the recipient and donor with instructions to transfer the annual leave to and from the respective accounts
- b. The Comptroller will coordinate the transfer of leave with the donor and recipient's supervisors and time and attendance clerks
- c. The HRO and the respective Comptroller Office will coordinate the recording and tracking of the amount of leave donated, and used. This will be done on a bi-weekly basis.

**12-12 TERMINATION OF PERSONAL EMERGENCY:**

a. The personal emergency affecting a leave recipient shall terminate:

- (1) When the leave recipient's employment is terminated;
- (2) At the end of the bi-weekly pay period in which the HRO determines that the leave recipient is no longer affected by a personal emergency; or
- (3) At the end of the bi-weekly pay period in which the HRO receives notice that the Office of Personnel Management has approved an application for disability retirement for the leave recipient under the Civil Service Retirement System or the Federal Employees Retirement System.

b. When the personal emergency affecting a leave recipient terminates, no further requests to transfer annual leave to the leave recipient may be granted.

## CHAPTER 13

## FAMILY AND MEDICAL LEAVE

13-1 PURPOSE. The purpose of this chapter is to set forth procedures and requirements for the Family and Medical Leave Program under which unpaid family and medical leave may be granted to eligible employees.

13-2 APPROVAL/DISAPPROVAL AUTHORITY. The immediate supervisor of the employee requesting leave under this program will have the responsibility of approving or disapproving requests. This will be done in accordance with the procedures outlined in this chapter.

## 13-3 DEFINITIONS:

For the purposes of this chapter:

(1) the term "employee" means an employee as defined under the current annual and sick leave system (5 USC 6301(2)) who has completed at least 12 months of civilian service with the Federal government. Temporary and intermittent employees are not eligible.

(2) the term "health care provider" means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery in the state in which the doctor practices or any other person determined by the Director of the Office of Personnel Management to be capable of providing health care services.

(3) the term "parent" means the biological parent of an employee or an individual who stood *in loco parentis* to an employee when the employee was a child.

(4) the term "reduced leave schedule" means a leave schedule that reduces the usual number of hours per week, or hours per workday, of an employee.

(5) the term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or involves continuing treatment by a health care provider.

(6) the term "son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or child of a person standing *in loco parentis* who is either under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability.

13-4 LEAVE BENEFITS. An employee shall be entitled to a total of 12 administrative workweeks of unpaid leave (leave without pay) during any 12-month period for one or more of the following reasons:

- a. birth of a "son or daughter" and care of such newborn (within 1 year after birth);
- b. placement of a "son or daughter" with "employee" for adoption or foster care (within 1 year after placement);
- c. care for spouse, "son or daughter," or "parent" of the "employee" with a "serious health condition"; or
- d. because of a "serious health condition" that makes the "employee" unable to perform duties of her or his position.

**13-5 INTERMITTENT LEAVE AND REDUCED LEAVE SCHEDULE.** An "employee" must obtain approval from first line supervisor to take leave intermittently or on a "reduced leave schedule" under conditions (a) or (b) above. Leave may be taken intermittently or on a "reduced leave schedule" under conditions (c) or (d) above when medically necessary. The first line supervisor may require temporary transfer to an alternative position with equivalent pay and benefits that can better accommodate intermittent leave under conditions (c) or (d) above. On a "reduced leave schedule," the "employee's" usual number of hours of work per workday or workweek are reduced. The hours of leave taken by an "employee" under a "reduced leave schedule" will be subtracted, on an hour-for-hour basis, from the total amount of the 12 workweeks of leave remaining available to the "employee" for the purposes of the 12-month period involved.

**13-6 SUBSTITUTION OF ACCRUED LEAVE FOR LEAVE WITHOUT PAY.** An "employee" may elect to substitute annual leave or sick leave (consistent with existing sick leave regulations) for unpaid leave (leave without pay) for any part of the 12-week leave entitlement.

**13-7 NOTIFICATION OF REQUEST FOR LEAVE.** An "employee" shall provide to the first line supervisor up to 30 days' notice of need for leave, as practicable. Such notice must be signed and dated by the "employee," specify the period of the family or medical leave, and indicate whether the "employee" elects unpaid leave (leave without pay) or wishes to substitute paid time off for all or part of the period. When leave is being requested for a "serious health condition," an "employee" should make a reasonable effort to schedule treatment, subject to the approval of the "health care provider," so as not to disrupt unduly the operation of the agency. If an "employee" is unable to provide notice in person, personal representative providing notice must be designated in writing by the "employee."

**13-8 MEDICAL CERTIFICATION REQUIREMENTS.** For leave under conditions (c) or (d) above, the first line supervisor may require that an employee submit a medical certification statement issued by the "health care provider" of the "employee," or of the son, daughter, spouse, or parent of the "employee," as appropriate. The medical certification statement must include as a minimum, (1) the date on which the serious health condition commenced, (2) the probable duration of the condition, and (3) the appropriate medical facts within the knowledge of the health care provider regarding the condition. For the purposes of a leave request to care for a son, daughter, spouse, or parent with a serious health condition, a statement that (1) the "employee" is needed to provide this care, and (2) an estimate of the amount of time that such employee is needed to provide this care. For the purposes of leave for the "employee" to receive treatment for a "serious health condition," a statement that the employee is unable to perform the functions of the position of the employee, and in the case of certification for intermittent leave, or leave on a reduced leave schedule, for planned medical treatment, a statement that indicates the dates on which such treatment is expected to be given and the duration of such treatment. In any case in which the first line supervisor has reason to doubt the validity of the certification submitted, a second opinion, at the agency's expense, may be required. The first line supervisor may also require a third opinion, at the agency's expense, from a health care provider jointly approved by the "employee" and the agency when the second opinion differs from the original certification. (The third opinion is limited to the information in the original certification.) The third opinion is final and binding on the agency and the "employee." The agency may also require periodic recertification at its expense.

# APPENDIX A

## Leave Recipient Application Under The Voluntary Leave Transfer Program

Optional Form 630  
June 1986  
U.S. Office of Personnel Management  
FPM Chapter 630

1. Applicant's Name (Last, First, Middle)		2. Social Security Number	3. Employee Number
4. Position Title, Pay Plan, and Grade/Pay Level			
5. Name of Organization (Agency, Department, Office, Division, Branch, etc.) & Phone #			6. Payroll Office Number
7. Nature and Severity of the Medical Emergency			

8. Individual Affected by Medical Emergency (Check One) <input type="checkbox"/> Employee <input type="checkbox"/> Family Member		9. Date Medical Emergency Began	10. Date Medical Emergency Ended (or is Expected to End)
---	--	---------------------------------	--

11. Name of Physician Who Will Verify the Medical Emergency (Attach documentation from the physician (or other appropriate expert) showing the diagnosis, prognosis and duration of the illness.)

12. What is the Applicant's Leave Balance as of End of Last Pay Period?	13. How Many Hours of Leave Without Pay Have Been Used for This Medical Emergency?
14. Does the Applicant Want a Description of the Medical Emergency Disclosed to Servicing Personnel Offices so that Other Employees May Donate Leave to the Account? <input type="checkbox"/> No <input type="checkbox"/> Yes If "YES," Provide the Description Below.	

Check, If the Applicant Does Not Wish to Have Name Used With the Description or Disclosed to Anyone Except Supervisor, the Supervisory Channel and the Deciding Official, and Individuals Who Maintain the Program.  
☐ ☐

15. Name of Individual Completing the Application (If Applying on Behalf of the Applicant)	Relationship to Applicant	Telephone Number
16. I Certify that the Above Statements are True. Signature of Applicant or Individual Applying on Behalf of the Applicant		Date Signed

### Privacy Act Statement

Participation in this program is voluntary; however, solicitation of this information is authorized by P.L. 100-566 (October 31, 1988). The information furnished will be used to identify records properly associated with the application to become a leave recipient. It may also be disclosed to a national, State, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law, rule, or regulation; or to another agency or court when the Government is party to a suit. Executive Order 9397 (November 22, 1943) authorizes use of the Social Security Number (SSN). Furnishing the Social Security Number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application.

17. First Level Supervisor's Recommendation, Signature, and Date Signed PHONE #	18. Deciding Official's Decision, Signature and Date Signed
<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove

REPRODUCE LOCALLY

A Physician's statement and a copy of your last Leave & Earnings Statement must be attached.



# APPENDIX B

Optional Form 630-A  
June 1989  
U.S. Office of Personnel Management  
FPM Chapter 630

## **Request To Donate Annual Leave To Leave Recipient (Within Agency) Under The Leave Transfer Program**

I request that annual leave be transferred to the leave account of an approved leave recipient. This recipient is not my immediate supervisor. As of the date indicated below, I have enough annual leave in my account to cover this amount. I understand that if I am projected to forfeit leave during this leave year, the amount of leave I am transferring may not exceed the number of hours remaining in the leave year for which I am scheduled to work. The amount of leave I am transferring also is not more than half the hours I will earn this year.

remains after the recipient's medical emergency has terminated. I can elect to have a pro-rated share returned to me during either the current leave year or the following leave year, or I can elect to donate my pro-rated share to another leave recipient. However, to do so, I must remain employed by a Federal agency and be subject to chapter 63 of title 5, U.S.C., on the date the medical emergency terminates.

I understand that my decision to transfer leave is not revocable. If a sufficient balance of unused leave

I have not been directly or indirectly intimidated, threatened or coerced, or promised any benefit by any employee for the purpose of donating or using leave.

### **Privacy Act Statement**

This program is voluntary; however, solicitation of this information is authorized by P.L. 100-566 (October 31, 1988). The information furnished will be used to identify records properly associated with the leave donation. It may also be disclosed to a national, State, or local law enforcement agency where there is an indication of a violation or potential violation of civil or criminal law.

rule, or regulation; or to another agency or court when the Government is party to a suit. Executive Order 9397 (November 22, 1943) authorizes use of the Social Security Number (SSN). Furnishing the Social Security Number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the request to donate leave.

<b>TO BE COMPLETED BY LEAVE DONOR</b>		
1. Name (Last, First, Middle)	2. Social Security Number	3. Employee Number
4. Position Title, Pay Plan, and Grade/Pay Level		
5. Name of Organization (Agency, Department, Office, Division, Branch, etc.) & Duty Phone Number		
6. Amount of Annual Leave as of End of Last Pay Period	7. Amount of Leave Projected to Forfeit This Leave Year as of End of Last Pay Period	8. Amount of Annual Leave To Be Transferred
9. Individual's Name or Identification Number to Whom Leave is Being Donated		
10. Signature		Date Signed
HRO's Decision and Signature		Date Signed
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		

REPRODUCE LOCALLY

# REQUEST FOR OVERTIME, HOLIDAY PREMIUM PAY, AND COMPENSATORY TIME

TO BE COMPLETED BY SUPERVISOR

TO

THRU

FROM

JUSTIFICATION (include details requiring overtime)

PAY PERIOD

RC/CC

REQUEST NUMBER

SSN AND NAME, OR NUMBER  
OF EMPLOYEES BY GRADE,  
AND OFFICE SYMBOL

GRADE

HOURS  
RE-  
QUESTED

DATE  
OVERTIME  
WILL BE  
WORKED

ESTIMATED

COMPENSATORY TIME

OVERTIME/  
HOLIDAY  
RATE

TOTAL  
COST

HOURS

DATE

TOTAL

DATE

TYPED NAME, GRADE, AND TITLE OF REQUESTER

SIGNATURE OF REQUESTER

FUND CERTIFICATION

ACCOUNTING CLASSIFICATION

APPROVING AUTHORITY

☐ APPROVED

DATE

☐ DISAPPROVED

☐ FUNDS AVAILABLE

TYPED NAME, GRADE, AND TITLE

TYPED NAME, GRADE, AND TITLE

☐ FUNDS NOT AVAILABLE

SIGNATURE OF CERTIFYING OFFICIAL

SIGNATURE OF APPROVING AUTHORITY

# REQUEST FOR OVERTIME, HOLIDAY PREMIUM PAY, AND COMPENSATORY TIME

TO BE COMPLETED BY SUPERVISOR

TO

THRU

FROM

JUSTIFICATION (Include details requiring overtime)

PAY PERIOD

RC/CC

REQUEST NUMBER

SSN AND NAME, OR NUMBER  
OF EMPLOYEES BY GRADE,  
AND OFFICE SYMBOL

GRADE

HOURS  
RE-  
QUESTED

DATE  
OVERTIME  
WILL BE  
WORKED

ESTIMATED

COMPENSATORY TIME

OVERTIME/  
HOLIDAY  
RATE

TOTAL  
COST

HOURS

DATE

TOTAL

DATE

TYPED NAME, GRADE, AND TITLE OF REQUESTER

SIGNATURE OF REQUESTER

FUND CERTIFICATION

APPROVING AUTHORITY

ACCOUNTING CLASSIFICATION

☐ FUNDS AVAILABLE  
☐ FUNDS NOT AVAILABLE

TYPED NAME, GRADE, AND TITLE

☐ APPROVED  
☐ DISAPPROVED

DATE

TYPED NAME, GRADE, AND TITLE

DATE

SIGNATURE OF CERTIFYING OFFICIAL

SIGNATURE OF APPROVING AUTHORITY

## APPENDIX E

### Certification of Physician

or Practitioner

(Family and Medical Leave Act of 1993)

Employee's Name

2. Patient's Name (if other than employee)

3. Diagnosis

4. Date condition commenced

5. Probable duration of condition

6. Regimen of treatment to be prescribed (indicate number of visits, general nature and duration of treatment, including referral to other provider of health services. Include schedule of visits or treatment. If it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week.)

a. By Physician or Practitioner

b. By another provider of health services, if referred by Physician or Practitioner

If this certification relates to care for the employee's seriously-ill family member, skip items 7, 8 and 9 and proceed to items 13 thru 20 on reverse side. Otherwise, continue below.

Check Yes or No on the lines below as appropriate

7. Is inpatient hospitalization of the employee required? ☐ Yes ☐ No

8. Is employee able to perform work of any kind? ☐ Yes ☐ No

9. Is employee able to perform the functions of employee's position? (Answer after reviewing statement from employer of essential functions of employee's position, or, if none provided, after discussing with employee) ☐ Yes ☐ No

10. Signature of Physician or Practitioner

11. Date

12. Type of Practice (Field of Specialization, if any)

For certification relating to care for the employee's seriously-ill family member, complete items 13 thru 17 below as they apply to the family member and proceed to item 20.

13. Is inpatient hospitalization of the family member (patient) required? ☐ Yes ☐ No

14. Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety or transportation? ☐ Yes ☐ No

15. After review of the employee's signed statement (See item 17 below), is the employee's presence necessary or would it be beneficial for the care of the patient? (This may include psychological comfort) ☐ Yes ☐ No

16. Estimate the period of time care is needed or the employee's presence would be beneficial.

Item 17 is to be completed by the employee needing family leave

17. When Family Leave is needed to care for a seriously-ill family member, the employee shall state the care he or she will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

18. Employee Signature		19. Date
20. Signature of Physician or Practitioner	21. Date	22. Type of Practice (Field of Specialization, if any)